

ORDER OF THE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TWIN PEAKS SOFTWARE INC.,  
Plaintiff and Counterclaim-  
Defendant,

v.

RED HAT, INC. and GLUSTER, INC.,  
Defendants and  
Counterclaim-Plaintiffs.

Case No. 5:12-cv-00911-RMW

**ORDER OF DISMISSAL PURSUANT TO  
FED. R. CIV. P. 41(a)(2)**

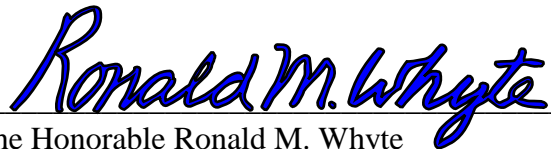
Plaintiff/Counterclaim-Defendant Twin Peaks Software Inc. ("Twin Peaks") and Defendants/Counterclaim-Plaintiffs Red Hat, Inc. ("Red Hat") and Gluster, Inc. ("Gluster") have jointly moved, pursuant to Fed. R. Civ. P. 41(a)(2), for dismissal with prejudice of all claims brought by Twin Peaks against Red Hat and Gluster, and all counterclaims brought by Red Hat and/or Gluster against Twin Peaks in the above-captioned action. The Court, having considered this request, is of the opinion that their request for dismissal should be granted.

IT IS THEREFORE ORDERED that all claims for relief asserted against Red Hat and Gluster by Twin Peaks in the above-captioned action are hereby dismissed with prejudice, and all counterclaims for relief asserted against Twin Peaks by Red Hat and/or Gluster in the above-captioned action are hereby dismissed with prejudice.

IT IS FURTHER ORDERED that all attorneys' fees, costs of court, and expenses shall be borne by each party incurring the same.

This is a final judgment.

Dated: July 24, 2013

  
The Honorable Ronald M. Whyte  
Judge, United States District Court